Statement-II

Jobwise Breakup of Expenditure (Contract repairs)

Rs. Lacs

	Running Maint.	Major Job Overhauling	Engine	Upholstry	Total
1990-91	3.299	4.841	0.90	0.67	9.71
1991-92	4.970	5.510	1.09	0.75	12.32
1992-93	5.008	5.302	0.88	0.70	11.89

Liability of M/s Glaxo

3111. SHRI H. HANUMANTHAPPA : Will the PRIME MINISTER be pleased to state :

(a) whether liability of M/s Glaxo in the Betamethasone case has been finalised ;

(b) what is the liability determined so far and what is the period for which liability is yet to be determined ;

(c) whether there is any stay to the determination of liability for this period and if so, when it was granted and in case there is no stay the reasons for not determining the liability so far ;

(d) the manner in which M/s Glaxo have been allowed to overcharge the price of Salbutamol and Ranitidine formulations ; and

(e) what are the details of Ranitidine and Salbutamol purchase by them from outside parties during the last three years and what was the price of such purchases ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (c) The liability against M/s Glaxo India Ltd. has been determined as Rs. 71.78 crores for the entire period of DPCO, 1979. The liability on account of overcharging for the period after the inception of DPCO, 1987 for which the prices of formulations based on Betamethasone were charged higher than the Government approved prices, has not yet been determined.

(d) To the extent information is available, M/s Glaxo are selling Zinetec Tablets (Ranitidine) at the ceiling/leader prices notified by the Government. The Salbutamol Inhaler manufactured by M/s Glaxo is outside price control. As regards the other formulations based on bulk drug Salbutamol marketed by M/s Glaxo, they are being sold at the Government's approved prices.

(e) The day-to-day business transactions of individual manufacturers are not monitored.

Determination of Liabilities

3112. SHRI H. HANUMANTHAPPA : Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question No. 1899 given in the Rajya Sabha on 13th May, 1993 and state :

(a) what are the details of determined liabilities which have been challenged in the court of law ;

(b) what is the ground on which each liability was challenged ;

(c) what are the names of courts where each liability was challenged and what is the present status in each case ;

(d) what are the names of the companies who have disputed the assessment and what are the details of dispute in each case ;

(e) when each company raised objection and what action was taken by Government ; and

(f) what is the present position of each case and when each case would be finalised ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (f) The information is contained in the Statement annexed.

Statement

S. No.	Name of the Company	Amount of Liability (Rs. in lakhs)	Year	Present status/Name of the Court
1	2	3	4	5
1.	M/s Pfizer	87.61	1992	Deposited 50% amount on the directions of the Bombay High Court. Case pending in the Bombay High Court.
2.	M/s Sandoz	74.68	1992	Do.
3.	M/s Pfizer	98.00	1992	Do.
4.	M/s Abbott	182.38	1992	Do.

1	2	3	4	5
5.	M/s Dolphin . . .	18.11	1990	Case pending in Calcutta High Court.
6.	M/s Cadila . . .	75.50	1990	Case pending in Ahemadabad High Court.
7.	M/s Fulford . . .	194.62	1988	Case pending in Delhi High Court.
8.	M/s Glaxo . .	7178.00	1990	Pending in Delhi High Court.
9.	M/s Burroughs welcome .	191.15	1993	Final orders issued after giving a hearing in compliance with the orders of Bombay High Court. The company has filed a writ petition in the Bombay High Court challenging the determination of the final liability. which has been admitted subject to the company furnishing bank guarantee.
10.	M/s Lyka Labs . .	678.73	1990	Case pending in Bombay High Court.
11.	M/s Carews . . .	710.24	1990	Case pending in Calcutta High Court

Regarding Plastic Processing Industry

3113. SHRI MOHAMMAD AFZAL alias MEEM AFZAL : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the plastic processing industry has been passing through a critical phase since last year mainly due to the higher impact of central excise and customs duties on basic raw materials, PVC resins and other polymers ;

(b) whether it is a fact that most of these industries are in the small scale sector ;

(c) whether it is a fact that the Finance Minister had announced excise concessions to this sector ; and

(d) if so, what remedial steps Government propose to take to rectify the situation and the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (d) The plastic processing industry in India is basically in small scale sector. During the Union Budget 1993-94 excise concessions were granted reducing the central excise duties on major polymers from 46% to 35%. The plastic processing industry has been benefited due to these concessions.

Validity of Rule 30-A of IDPL/CDA Rules

3114. SHRI MD. SALIM : Will the PRIME MINISTER be pleased to refer to the reply to unstarred question 1914 given in the Rajya Sabha on 13th May and state :

(a) whether it is a fact that the Law Ministry has already given their opinion on the validity of the newly introduced rule 30-A of IDPL/CDA rules to the Ministry of Chemicals :

(b) if so, the details thereof ;

(c) whether it is a fact that the law Ministry has also suitably advised on the validity of rule 30-A to the department of chemicals ; and

(d) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI EDUARDO FALEIRO) : (a) to (d) Yes, Sir. According to the advice of the Ministry of Law, Justice and Company Affairs (Department of Legal Affairs), there is no infirmity in Rule 30-A of the IDPL-Conduct, Discipline and Appeal Rules, 1978.